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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 AUG 22 AM 11:18

UNITED STATES OF AMERICA,

Plaintiff,

v.

Vicente MENDOZA-Rojas,

Defendant

Magistrate Docket No.

'08 MJ 2591

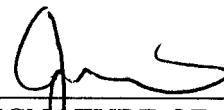
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United StatesCLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIAMS
DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **August 20, 2008** within the Southern District of California, defendant, **Vicente MENDOZA-Rojas**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 22nd DAY OF AUGUST, 2008


Barbara L. Major
UNITED STATES MAGISTRATE JUDGEDDA
8/20/08

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CONTINUATION OF COMPLAINT:
Vicente MENDOZA-Rojas

PROBABLE CAUSE STATEMENT

On August 20, 2008, Border Patrol Agent R. Rosas responded to an activation of a seismic sensor device Northeast of the Tecate, California Port of Entry and encountered a group of eight individuals walking northbound towards him. Agent Rosas identified himself as a Border Patrol Agent and conducted an immigration inspection. All eight individuals including one later identified as the defendant **Vicente MENDOZA-Rojas**, admitted to being citizens and nationals of Mexico without any immigration documents allowing him to be or remain in the United States legally. At approximately 11:15 p.m. all eight were placed under arrest and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **July 15, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.